

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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JASON A.,<sup>1</sup>

Civil No. 23-104 (JRT/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATIONS**

MARTIN J. O'MALLEY,  
Acting Commissioner of Social Security,

Defendant.

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James H. Greeman, **Greeman Toomey**, 250 Second Avenue South, Suite 120, Minneapolis, Minnesota 55401 for Plaintiff.

Kira Treyvus, **Konoski & Partners**, 305 Broadway, 7<sup>th</sup> Floor, New York, New York 10007 for Plaintiff.

Ana H. Voss, **United States Attorney's Office**, 300 South 4<sup>th</sup> Street, Suite 600, Minneapolis, Minnesota 55415 for Defendant.

James D. Sides, **Social Security Administration, Office of the General Counsel, Office of Program Litigation, Office 4**, 6401 Security Boulevard, Baltimore Maryland 21235 for Defendant.

Kizuwanda Curtis, **Social Security Administration, Office of Program Litigation**, 6401 Security Boulevard, Baltimore, Maryland 21235 for Defendant.

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in

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<sup>1</sup> This District has adopted the policy of using only the first name and last initial of any nongovernmental parties in Social Security opinions such as the present Report and Recommendation. Accordingly, where the Court refers to Plaintiff by her name only her first name and last initial are provided.

the above-entitled matter, **IT IS HEREBY ORDERED** that:

1. Plaintiff's request for relief, [Docket No. 13], is **GRANTED**, as set forth above;
2. Defendant's Motion for Summary Judgment, [Docket No. 15], is **DENIED**; and
3. The above captioned matter is **REMANDED** to the Social Security Administration, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings consistent with this Report and Recommendation.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: February 5, 2024  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge